

### **REMARKS**

Claims 1-4, 6, and 13-20 are pending. Claims 13 to 20 have been added. Claims 13 and 14 find support in, for example, p. 6, lines 15-17. Claim 15 finds support in, for example, p. 5, line 9. Claim 16 finds support in, for example, p. 4, lines 22-24. Claims 17 and 19 find support in, for example, p. 6, lines 19-20. Claims 18 and 20 find support in, for example, p. 6, lines 22-23. Reconsideration of the application is respectfully requested.

### **§ 103 Rejections**

Claims 1-4 and 6 are rejected under 35 USC § 103(a) as having been obvious over O'Brien et al. (US 6,915,178) in view of Duret et al. (US 4,663,720).

The Applicants respectfully disagree and contend that the references cited by the Examiner do not disclose all of the elements of independent claims 1 and 6. For example, both claims 1 and 6 recite "displaying the shape of the prosthesis together with the control surface on a monitor." Neither O'Brien nor Duret teach or suggest this limitation. In the Office Action dated Feb. 10, 2009, the Examiner drew the Applicant's attention to Figs. 2-4, col. 4, lines 14-47, and col. 2, line 44 to col. 3, line 11 of O'Brien for this limitation. However, as respectfully noted by the Applicants in their response dated May 28, 2009, none of these portions of O'Brien disclose the claimed limitation. The Examiner points to portions of Duret, particularly noting that, "Figure 15 further shows the modified image of a dental prosthesis with its corresponding plane." However, neither Figure 15 nor the other cited portions of Duret teach or disclose "displaying the shape of the prosthesis *together with the control surface* on a monitor." Thus, the Applicants continue to respectfully assert that at least this limitation is not shown in either Duret or O'Brien.

Additionally, both of independent claims 1 and 6 recite, "providing stability requirements" and "wherein the stability requirements include a minimum required thickness." While the Examiner points to col. 4, lines 14-47 of O'Brien and col. 7, line 64 – col. 8, line 14 for these limitations, the Applicants respectfully respond that neither reference teaches or suggests these limitations. For instance, while O'Brien mentions a "minimum thickness of the prosthesis" (col. 4, lines 45-46), there is no indication that such a minimum thickness is tied to stability requirements, as recited by claims 1 and 6 of the present application ("wherein the

stability requirements include a minimum *required* thickness of the prosthesis”). As described by the specification, the “minimum *required* thickness” ensures that the prosthesis walls are thick enough to be capable of withstanding the loads from milling work, when the prosthesis is being created, and chewing, after the prosthesis is mounted to the tooth stump (p. 2, line 17 – p. 3, line 3). In contrast, O’Brien seems to suggest that the user can change the minimum thickness to any value without regard to stability requirements. The cited portion of Duret mentions “thickness of the cement film which will hold the prosthesis” but makes no disclosure related to a “minimum required thickness of the prosthesis.” Thus, Applicants respectfully maintain that O’Brien does not disclose the stability requirement or minimum required thickness as claimed by the present application.

Further, with respect to control data, claims 1 and 6 recite, “generating control data from said input data, said control data representing a control surface which meets the stability requirements” and “the displayed control surface provides a *visual representation of the minimum required thickness*.” While the Examiner suggests that these limitations are disclosed by O’Brien and Duret (Office Action dated June 8, 2009, para. 3.1), the Applicants again respectfully suggest that these limitations are not disclosed. In contrast to the above quoted limitations, the Examiner refers to the “3D digital data file created by O’Brien” and the parameters listed in col. 2, lines 44-47. These parameters are only displayed in the context of “an image 14 of crown 50a to be attached to the stump 32.” O’Brien mentions displaying the image of the prosthesis, but does not disclose a control surface in which “the *displayed control surface* provides a visual representation of the minimum required thickness.” The displayed image of O’Brien can have any desired thickness as modified by the user (col. 2, lines 44-47) and does not teach or suggest the limitations of claims 1 and 6. Further, Duret does not disclose these limitations. The portions of Duret cited by the Examiner (fig. 7 and col. 7, line 64 – col. 8, line 36) refer to “a model of the prosthesis” (col. 8, lines 11-12), and do not disclose a “*displayed control surface*” wherein the control surface “provides a visual representation of the minimum required thickness” as claimed in the present application. For at least the reasons above, the Applicants respectfully contend that claims 1 and 6 were nonobvious at the time of invention.

Claims 2-4 and 13-20 each add additional features to claim 1. Claims 2-4 and 13-20 are patentable for at least the reasons given above for their base claim 1.

In view of the above, it is respectfully submitted that the application is in condition for allowance. Examination and reconsideration of the application as amended is requested.

Respectfully submitted,

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Date

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